

Rec'd PCT/PTO 01 AUG 2005

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10/510,908

Attorney's Docket No.: LEA 36 031

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kühn, et al.

Serial No.: 10/510,908

Filed: 10/08/2004

For: Aqueous Formulations of (2-Hydroxymethyl-Indanyl-4-Oxy)-Phenyl-4,4,4-Trifluorobutane-1-Sulfonate

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CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that the *attached* correspondence comprising:

- 1) Response to Notification of Missing Requirements Under 37 U.S.C. 371 [IN DUPLICATE];
- 2) Copy of Notification of Missing Requirements Under 37 U.S.C. 371;
- 3) Original oath or declaration of the inventor(s); and
- 4) Return Receipt Post Card.

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JUL 28 2005  
Date

*Jill Durante*  
Jill Durante

# ORIGINAL

Attorney Docket No. Le A 36 031

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kühn, et al.

Confirmation No. 7332

Application No.: 10/510,908

Filed: 10/08/2004

For: Aqueous Formulations of (2-Hydroxymethyl-Indanyl-4-Oxy)-Phenyl-4,4,4-Trifluorobutane-1-Sulfonate

### CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence and any papers referred to as attached are being deposited, on the date shown below, with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: JUL 28 2005

  
Signature of person certifying/Jill Durante

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### COMPLETION OF FILING REQUIREMENTS NONPROVISIONAL APPLICATION

This replies to the Notification of Missing Requirements Under 35 U.S.C. 371 mailed to applicants on 07/01/2005. A copy of the Notification of Missing Requirements is enclosed.

### DECLARATION OR OATH

No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

### COMPLETION FEES

Surcharge fee for late filing of original declaration or oath (37 C.F.R. 1.492(h)) \$130.00.

# ORIGINAL

## TOTAL FEE DUE

The total fee due is:

Completion fees	\$ 130.00
Extension fee (if any)	\$ 0.00
Total Fee Due \$	<b>130.00</b>

## PAYMENT OF FEES

The Commissioner is hereby authorized to charge Deposit Account No. 13-3372 in the amount of **\$130.00** for the matters indicated above. The Commissioner is also authorized to charge any additional fees, any underpayment of fees, and credit any overpayment to the above deposit account. A duplicate of this request is attached.

Respectfully submitted,

  
\_\_\_\_\_  
Susan M. Pellegrino  
Attorney for Applicant(s)  
Bayer Pharmaceuticals Corporation  
400 Morgan Lane  
West Haven, CT 06516-4175

Date: **JUL 28 2005**

Registration No. 48,972

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08/04/2005 ATRAN1 00000128 133372 10510908

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UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/510,908	Bernd Kuhn	Le A 36 031
INTERNATIONAL APPLICATION NO.		
PCT/EP03/03327		
35969	LA. FILING DATE	PRIORITY DATE
JEFFREY M. GREENMAN BAYER PHARMACEUTICALS CORPORATION 400 MORGAN LANE WEST HAVEN, CT 06516	03/31/2003	07/11/2002
CONFIRMATION NO. 7332		
371 FORMALITIES LETTER		
*OC000000016430582*		

Date Mailed: 07/01/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/08/2004
- Copy of the International Search Report filed on 10/08/2004
- Preliminary Amendments filed on 10/08/2004
- Information Disclosure Statements filed on 10/08/2004
- Request for Immediate Examination filed on 10/08/2004
- U.S. Basic National Fees filed on 10/08/2004
- Priority Documents filed on 10/08/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TERRY M JOHNSON VESSELS

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Telephone: (703) 308-9140 EXT 221

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/510,908	PCT/EP03/03327	Le A 36 031

FORM PCT/DO/EO/905 (371 Formalities Notice)